

8.

In such terms as are employed in their country, and are familiar to the French lawyers. The words "qualify crimes," which are inserted in the English article, do not appear at all in the French, and it is quite possible that the order of the article, therefore, of the crime of robbery and burglary, as specifically defined in that article, are the only crimes intended to be added to the list enumerated in the original treaty. It may be true that there are other crimes equally heinous and equally dangerous to the interests of society which have been left unprovided for; yet that will not authorize the extension of the treaty beyond the limits of the original article. The treaty of 1840, in the crime of robbery have authorized it being contained within the provisions of the treaty of 1843, before the article of 1840 was

Before Judge Slosson.  
Samuel Spriggs, et al. Martin McDonald—Order  
arrest discharged.

FOR DELIVERY OF GOODS.  
TRIAL TERM.—Before Judge Slosson.  
Nathan Rogers and Charles Butler, et al. David C. Murray, The  
City Baker, et al.

The particulars of this case were published in The  
Tribune on Saturday. The jury brought in a sealed verdict  
Tuesday morning for the defendant. It is understood that  
a case will be tried on Wednesday.

Before Judge Woonbush.  
WILLIAM W. WOODWARD, et al. vs. John C. Moore.  
Motion for a writ of habeas corpus to recover damages for alleged

[illegible]

In March, 1842 there was some final accounting by the executor of the Surrogate's office, and all debts, a dividend was declared, and surplus remaining in the hands of the executors after discharging the expenses of administration, was divided among the creditors. The decree provided that these payments being made, the executors should be discharged from their office and the executors were to be declared as creditors, and they received the balance. They now apply for payment of the remainder of their claim, out of the proceeds of the will, and the estate of limited interest in the lands. The will, and the statute of limited interest at the bar, by one of the executors, and also by the interested parties in the land, they claim that the claim of Warren and Kier was barred by the statute of limitations, and directed the executor to satisfy the claim of the executors, and the beneficiaries in the lands, and the executor has refused to do so.

[illegible]

the rule of the common law is clear. But even under the French law there is such a case made out, that, in that country, to make a charge of forgery against a man, it is necessary to prove that he is the author of the crime; the accused, and to send the matter before the higher Court for investigation. The *Mandate of Arrest* of December 21, 1802, (10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 8

search of the counsel for the defense have not succeeded in pointing out any section of the statute which requires that the grand jury be sworn in the presence of the judge.

I conclude then that Louis Grulet is properly charged with the crime of forgery, and that the evidence shows a reasonable ground for believing that he committed the crime.

The crime of forgery is defined on the treaty. We need not, therefore, search the books to learn its significance; it is essential as a part of the treaty and is treated as such in the opinion of the court in the *manitou house* (union habitue) of another, (4) with felonious intent.

There is evidence before me to warrant the inference that Grulet, with felonious intent, in the night time, entered the office of the Railroad Company and broke open, or aided in breaking open, a safe, and took therefrom the sum of \$1000 in cash and shares from the stock by these means.

The fact that shares have been stolen is testified by Messrs. Duggan and McArthur, and by Louis Grulet to Melin.

It is said that the defendant wanted to forgive the violator of her perjury. The Court, after some little parley with the witness, said that she would not do so.

Patrick McArdie was arraigned for stealing a calf and some silver spoons. He was caught in the act. The defendant attempted to excuse himself by the plea, that he had been drinking and was not in his senses, and that he had been told for an acquaintance. The Court, however, disregarded pleas about "looking for an acquaintance in the barroom," and found the defendant guilty, and sentenced him to the Penitentiary for one month.

John Nugent alias John Smith was arraigned for assault and battery on Mary Nugent, his wife. He was caught by the police while putting his (Nugent's) hand in complainant's pocket, where, however, he found nothing. Found guilty and sentenced to the Penitentiary for one month.

Tessender and Mathieson. It was proved that the desk bore marks of a struggle, and that the drawers had been pulled out, so that Guerin had broken open the desk, and he had followed him. This method of stealing having been proved, if the evidence was not sufficient to convict Guerin, it was held that he had employed other means, the burden of proving this devolving on him, and he has failed to furnish such proof. The circumstances of the Robbery led to the arrest of Guerin, and Guerin and Grellet were only subordinates up to that date, and that most, if not all the thefts were committed prior to that date, rendering their participation in the robbery of the desk immaterial. He was in the night and under the circumstances above mentioned.

There is one essential of the crime of burglary which this evidence fails to establish, namely, that the place was a mansion house (*maison habitee*). Time officers were used by the Commonwealth to establish this fact, but they failed to show that Guerin, as employee, slept there at night; it was not his dwelling.

Margaret McGinnis, an old servant before this Court—at least three times before—was charged with stealing some shoes, found guilty and sentenced to the Penitentiary for one month.

Peter Mooney, charged with embezzlement, was acquitted.

William Robinson was arraigned for stealing boot. Though pleading that the boot belonged to his brother, he was sentenced to the Penitentiary for three months.

Bridget Stanley, an old thief, was charged with stealing a watch, found guilty and sentenced to the Penitentiary for one month.

James Grugin, arraigned for stealing a frock-coat, the value of \$15, was acquitted.

William J. O'Connell, charged with stealing some dress trunks, found guilty and sentenced to the Penitentiary for one month.

ing in any other sense than that and that has been clearly held by the courts of this country. See *United States v. Brown*, 289 U.S. 9, 11, Brown's case, 12 R. v. Smith, 512 Falcie's case, 40 Wm. Ast. Cr. Law, Tit. Burglary, B3, Flanagan's case, 100 Fed. 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839,

While thus the officer who framed the warrant has specified the marginal note of the Code of Criminal Procedure, particularly, as he is required to do by the marginal note of the warrant, "Bren specifies in crime on delict, delict is sent povera," the Code of Criminal Procedure, Article 39 and 381 of the Code that the offense was committed in a maison habitée. The French Code also requires that the warrant of arrest shall specify the article of the Code of Criminal Procedure, Article 381 (Code d'Instruction, Art. 36), and in compliance with that law, the warrant of arrest cites Article 336 and 381 of the Code of Criminal Procedure, and the warrant of arrest specifies the law providing for the case where the house is not inhabited.

On the ground, therefore, that he is not charged in France with having broken open the door, and that the warrant of arrest on the charge shows the understanding of the prosecution as to the

of the offense, that there was in France against the same person, and that the defendant was not the same person as the one in question that there is not any charge against Louis Groulx sustained by proper evidence to warrant his commitment for trial to be taken into consideration.

We come next to consider the case of Auguste Parot. There was no charge made in France against him of complicity in the crime, and no evidence was introduced in the opinion that he was implicated in that crime. Nor is there any evidence before us to cast suspicion on him in regard to this particular crime. He was not an employee of the railroad, and had never been seen in their office but once, and that four years ago, and he was not by any evidence connected with those forgeries which did not get accepted by the railroad company in Paris, his flight with him under an assumed name, his having in his portfolio fifty-four coupons of railroad shares due since the 1st of June 1901, and the fact that he was the author of the thefts, and as a guilty instrument in disposing of the stolen property.

Heated his gratitude by responding, "Thank you, Honors."

John Battell, charged with assault and battery, convicted, and sentenced to give bail in the sum of \$100,000.

The case of Patrick Constable, charged with assault and battery, was put over till Thursday.

Adjourned to 9 o'clock Tuesday morning.

**COURT CALENDAR—THIS DAY.**

**SUPREME COURT—CIRCUIT.**—In consequence of sickness of Judge Crosby at the General Term, the following cases will be heard:

**SUPERIOR COURT.—Nos. 175, 387, 388, 406, 430, 492, 421, 491, 537, 551, 641, 624, 644, 1622, 546, 862, 651, 652, 653, 654, 655, 656, 657, 658, 659, 700, 701, 702, 720, 735, 145, 162, 672.**

shares, but as those threats do not come under the definition of a conspiracy, the grand jury has no jurisdiction over them. I am therefore of opinion that Auguste Parot has not committed any crime that falls within the provisions of our treaties with France.

There is no evidence before me sufficient to charge Edouard David with any grave offense. The evidence against him consists of a letter alleged to have been written by him to Auguste Parot, in which he refers to having deposited some shares of the Railroad Company in the Bank for Parot, and asks what he should do in order to get them back. I have no doubt that it is true that he acted blindly as a tool of Parot in making this deposit, not knowing what object Parot had in using him. It is a sad and perfectly criminal error to have trusted a man so much to Parot, but the fact that two years ago he came to this country, and lived here in destitution, resorting to the aid of his friends in order to get a living, is a strong reason in favor from Parot, a small loss, when, if he had been a guilty

**COURT OF COMMON PLEAS.**—There will be no court called in Paris, during the June Term. Part III of the Digest of Laws, 31, 310, 316, 726, 774, 873, 891, 897, 901, 999, 533.

**DECEASED.**—At Andover, Middlesex County, on Wednesday, May 27, by the Rev. T. C. Peck, Mr. Henry Ackert of New York City, to Miss Sarah B. Bowie of Andover. **BONNETT, RUSSEY**—In New Rochelle, on Wednesday, May 27, by the Rev. T. C. Peck, Mr. Thomas C. Russey to Miss Margaret A., eldest daughter of the late George C. Russey of New Rochelle.

**COCKREIN-VAN WINKLE**—In Jersey City, on Thursday, May 28, by the Rev. T. C. Peck, Mr. John Van Winkle to Rev. Dr. Riddle, Mr. Samuel M. Cockrein to Kate, and

associate, or had even possessed knowledge of the commission of the crime, and that the said Louis Grelet was not, at the time of the crime, taking in connection with the fact that when Paul and Grelet were arrested in New York, David went openly to visit and to converse with Grelet, and that the said Grelet would have been the natural recipient of a guilty man, satisfies my judgment that David is innocent of the charge.

Upon the whole, case, I have no objection to so report, that there is sufficient evidence that Louis Grelet has been guilty of the crime of the crime of forgery (Faux, to which is attached a sufficient number of witnesses to establish the same under our laws; that there is no sufficient evidence, that either Auguste Paul or Edouard David have committed in France any crime for which they are liable by our treaties, or that they are committed for trial under our laws. All which is respectfully submitted.—Dated New York, May 20, 1857.

GEORGE F. BETTS, Commissioner, &c.

daughter of A. W. You Winkle, esq, of Jersey City.

CONNOLLY—BAIRRE—In this city, on Saturday, May 20, by the Rev. Thomas J. Preston, Joseph Francisco De Navarro and Amelia Dykers, daughter of John H. Dykers, esq, of all this city.

EDWARDS—HUNT—On Thursday, May 20, by the Rev. Harrison M. T. Edwards to Mrs. Phoebe Hunt, both of all this city.

HOLLY—BIGNALL—On Saturday, May 20, at the Church of the Holy Communion, in this city, by the Rev. Dr. Amos A. Holly to Fanny M. Bignall, daughter of David Bignall, esq, of all this city.

BRADSHAW—On Thursday, May 20, by the Rev. Dr. Amos A. Holly to Fanny M. Bignall, daughter of David Bignall, esq, of all this city.

**SUPREME COURT—SPECIAL TERM—May 30—Before Judge ROOSEVELT.**

**DECISIONS—THE PAULDING CASE.**

**The People on the Relation of Sarah M. Paulding, et al. Philip R. Paulding, et al. vs. The People.**

On consent of counsel for all the parties in this proceeding, it is ordered that it be referred to Charles Stuart, esq., to conduct the law, before, defend, and report the testimony and his conclusions thereon to the above entitled action.

**Before Judge CLEGG.**

**Jeremiah Hirschcraft et al. agt. Wm. H. Ruel.**—Motion denied, with \$30 cost.

**The Rev. E. M. M. M. vs. The People.**

**Dr. Dexter and Chas. P. Bailey—Report of**—Revised, confirmed. Ordered that the partnership be dissolved and the assets and liabilities of the same be ascertained.

**MAIA'S Church, in the Rev. Henry Authier, D. D. Henry Konhardt of New-Britain, Staten Island, to Catherine daughter of John Konhardt of this city.**

**WHITEHORN—SALAMBER—On Tuesday, May 28, the Rev. Dr. Monahan, Mr. James Whitehorn to Miss Louisa Salamber, daughter of the late Francis Salamber, et al.**

**WATKINS—ONEAL—In Brooklyn, on Thursday, May 28, the Rev. E. M. M. M. vs. The People.**

**Miss Rachel O'Neal, both of New York.**

**YOUNG—WESTVELT—Near Hickman, N. J., on Thursday, May 28, the Rev. E. M. M. M. vs. The People.**

**Young of this city, to Miss Mary J., only daughter of James R. Westvelt esq.**

**DIED.**

**ADAMS—On Thursday, May 28, William Butler Adams**

**SUPERIOR COURT—GENERAL TERM—MAY 30.**—Before all the Judges.

**DECISIONS.**

**William Purvis** vs. **Robert R. Coleman.**—Verdict of a jury, and judgment entered, for defendant.

**Frank Lee** vs. **Leola Keene.**—New trial ordered, costs to abide event.

**Mary Elery, Administratrix,** vs. **Hamilton Fire Insurance Company.**—Judgment affirmed with costs.

**Joseph Stivers** vs. **Joseph A. Hart.**—New trial, costs to abide the event.

**Francis A. Comstock** vs. **John Orser.**—Sheriff—Judgment of dismissal affirmed, according to stipulation.

**Charles J. Smith** vs. **John J. Smith.**—Judgment

**Arthur and Margaret Adams,** aged 14 years, 10 months and 6 days.

**BROWN** vs. **Margaret May.** 29, after a lingering illness, **Margaret Alberta Brown**, aged 20 years, 11 months and 19 days.

**BANKS**—On Friday morning, **May 31**, **Theodore Banks**, in the 48th year of his age.

**BROTHERS** and friends of the family are respectfully invited to attend the funeral on **Tuesday at 2 o'clock** at the late residence, **No. 31 Seventh street**, without further notice.

**CAMPBELL**—On Friday, **May 29** at 7 o'clock p. m., **Margaret Campbell**, aged 3 years, 11 months and 10 days.

**DELMONTE**—At Philadelphia, **Wednesday, May 27**, **Ann Delmonde**, daughter of **Bracton** **Barrie**, late of the State of **Nevada**, **Brooklyn, Long Island**, aged 2 years.

**DENISUN**—In **Clarkville, Tenn.**, on **Tuesday morning**

ment affirmed with costs.  
Charles S. De Zury et al. agt. John Fyfe—Judgment affirmed with costs.  
General Term—Judge Deane.  
Moses agt. Bovesield—Motion for judgment on the ground of the frivolousness of the answer. Denied with \$5 costs to defendants.  
Adams et al. agt. McKeon—Motion for leave to serve an amended answer containing additional defenses. Denied on the ground of laches in making the application.  
Bradford agt. Wilson—Case settled.

2d, John W. Denison, aged 25 years, formerly of Stonington, Conn.—  
DIEBART—On Saturday, May 25th, of typhoid fever, Frank Denison, aged 75 years.  
For the relatives and friends of the family are respectfully requested to attend his funeral from his late residence, No. 63 First street, on Tuesday afternoon at 4 o'clock.  
DORAN—On Friday morning, May 25, of consumption, John Doran, aged 20 years and 1 month, a native of Ireland, and the last 25 years a citizen of New York.  
DAYTON—Near Peekskill, on Thursday, May 28, Mrs. Caroline wife of George Dayton, in the 91st year of her age.

<p><b>DELMONICO</b>—On Friday after noon, May 29, after a short illness, of typhoid fever, Joseph Delmonico, in the 26th year of his age.</p> <p><b>GARDNER</b>—On Saturday, May 30, Thomas M. Gardner, in the 36th year of his age.</p> <p>The relatives and friends of the family are respectfully invited to attend the funeral of our beloved resident, No. 4 Edridge street, at 4 p. m. on Wednesday, June 3. His remains will be interred in Section 4 street Cemetery.</p> <p><b>GAUDI</b>—On Thursday, May 7, Gilbert R. Gaudi, aged 34 months and 25 days; also, on the 20th, Thos. Arrey Louis, aged 3 years and 7 months and 2 days, children of Gilbert and Alice Gaudi.</p> <p><b>HEWITT</b>—At his residence, in Trenton, N. J., on Saturday </p>	<p>By Coin hand in Asst. T. Office. \$10,654.01 53</p> <p>By Coin hand in Assay Office. 1,222.94 50</p> <p>By Fine Bars in Assay Office. \$ 501.71 60</p> <p>Unpurged Bullion in Assay Office. 642.63 51</p> <p>By Bullion at the Mint for Coinage. 27,839.39 27</p> <p>Total. \$18,944.27 94</p> <p>STATEMENT of <i>Business at the United States Assay Office, New York for the Month ending May 30, 1857.</i></p> <p>DEPOSITS OF GOLD.</p> <p>Foreign Coins. \$17,400 00</p> <p>Foreign Bullion. 10,400 00</p> <p>United States Bullion. 1,960,000 00</p> <p>Total. \$12,500,000 00</p> <p>RECEIPTS AND PURCHASES OF SILVER.</p>
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many years. A sister, in the first year, died.	Foreign Coin.....	\$500.00 00
The funeral will take place at Trenton on Monday morning,	Foreign Bullion.....	27.000 00
June 1, at 10 o'clock reading of the service.	U. S. Bonds.....	10.000 00
June 1, for the arrival of the train, which will leave New York	U. S. State Bullion (gold coins).....	5.000 00
at 8 a. m. His friends and those of his wife, Francis Thomas	U. S. State Bullion (gold coins).....	35.000 00
John, Abraham S. and Charles Hewitt, are invited to attend.		
HARVEY—On Sunday morning, May 31, Laura Cecilia, daughter	Total.....	\$1,985,000 00
of John and Melissa Harvey, aged 1 year, 11 months and	Total Deposits payable in bank.....	\$1,500,000 00
10 days.	Total deposits payable in coin.....	\$485,000 00
The relatives and friends of the family are respectfully invited	Total.....	\$1,674,151 00
to attend the funeral from 10 o'clock to 12 o'clock on Monday	Transmitted to U. S. Mint, Philad. for coinage.....	10,975 00
at 8 o'clock, at the residence of the deceased, 307 Third avenue, on Tuesday after		
noon at 2 o'clock.		
HAVENS—On Thursday, May 28, Harriet, the wife of George		
Havens, Jr., died at her residence at 12 o'clock and 19 days.		
HUSTON—At Bedford, Westchester County, N. Y., on Thurs-		
day, May 21, James W., only child of Charles B. and Juliet		

Milled.

MILLER-On Friday, May 29, Miss Mary E. Mill, aged 25 years, 1 month and 6 days.

NELSON-Suddenly, on Thursday, May 26, James Nelson, aged 39 years.

PORTER-At Toronto, C. W., on Sunday, May 24, Charles Porter, aged 1 year and 6 months, only child of Charles F. and Emeline E. Porter of New-York City.

STODDARD-At Salem, Ala., on Friday, May 15, in the 24th year of her age, Mirvra N., daughter of the late Capt. Wm. Stoddard, died. In N. Y.

SKIDMORE-On Sunday afternoon, May 30, Robert C. Skidmore, aged 61 years.

Not to be given of the funeral.

SWIFT-In Brooklyn, on Friday, May 29, of consumption, Robert Swift, eldest son of Margaret Swift, aged 23 years, 1 month and 11 days.

WILKINSON-In New-York, on Saturday, May 25, of consumption, died, John W. Wilkinson, aged 23 years, 1 month and 11 days.

	1855.	1856.	1857.
Dry Goods.....	\$51,253.	50,799.	53,118.
General Merchandise.....	4,277.	3,555.25.	3,311.18.
Total for the week.....	\$55,530.	\$54,354.	\$56,429.
Previously reported.....	51,390.	50,755.	53,022.

Since January 1.....\$4,347.57.

Included in the Imports.....\$5,563.92.

Wheat, 417,440 bushels.

Hides, 201,600; Iron, 175,600; Tin, 106,000; Hides, 21,600; Sugar, 1,637,500; Molasses, 371,600.

We annex a comparative statement of the export of Merchandise from New-York to Foreign ports, for the week and since Jan. 1:

of King ferry, Solomon Vredenburg, in the 60th year of his life.	1855.	1857.
WATERS.—On Friday, May 20, Mary Dominic Waters, aged 11 months and 21 days.	Precisely reported:.....	
	25,064.03	20,184.34
		59,319.
	26,000.79	\$30,301.93
		\$31.42

The following is a comparative statement of the value of certain exports from the commencement of the year to May 31:

	1855.	1857.	Increase.	Decrease.
Cotton.....	\$3,671,208	\$4,519,298	189,751	
Floor.....	5,616,512	5,377,312		\$239,200
Corn Meal.....	2,031,278	1,967,540		63,738
Corn.....	1,418,140	1,231,156		186,984
Wool.....	1,263,691	1,517,695		254,004
Beef.....	1,263,691	1,517,695		254,004

[illegible][illegible][illegible]

390	do	371	do	320 55
400	do	371	do	320 55
410	do	371	do	320 55
420	do	371	do	320 55
430	do	371	do	320 55
440	do	371	do	320 55
450	do	371	do	320 55
460	do	371	do	320 55
470	do	371	do	320 55
480	do	371	do	320 55
490	do	371	do	320 55
500	do	371	do	320 55
510	do	371	do	320 55
520	do	371	do	320 55
530	do	371	do	320 55
540	do	371	do	320 55
550	do	371	do	320 55
560	do	371	do	320 55
570	do	371	do	320 55
580	do	371	do	320 55
590	do	371	do	320 55
600	do	371	do	320 55
610	do	371	do	320 55
620	do	371	do	320 55
630	do	371	do	320 55
640	do	371	do	320 55
650	do	371	do	320 55
660	do	371	do	320 55
670	do	371	do	320 55
680	do	371	do	320 55
690	do	371	do	320 55
700	do	371	do	320 55
710	do	371	do	320 55
720	do	371	do	320 55
730	do	371	do	320 55
740	do	371	do	320 55
750	do	371	do	320 55
760	do	371	do	320 55
770	do	371	do	320 55
780	do	371	do	320 55
790	do	371	do	320 55
800	do	371	do	320 55
810	do	371	do	320 55
820	do	371	do	320 55
830	do	371	do	320 55
840	do	371	do	320 55
850	do	371	do	320 55
860	do	371	do	320 55
870	do	371	do	320 55
880	do	371	do	320 55
890	do	371	do	320 55
900	do	371	do	320 55
910	do	371	do	320 55
920	do	371	do	320 55
930	do	371	do	320 55
940	do	371	do	320 55
950	do	371	do	320 55
960	do	371	do	320 55
970	do	371	do	320 55
980	do	371	do	320 55
990	do	371	do	320 55
1000	do	371	do	320 55

plenty, and there is less disposition to make short sales." Erie closes at 37 $\frac{3}{4}$ 3/4; Reading, 81 $\frac{1}{2}$ 81 $\frac{1}{2}$ ; Central, 86 $\frac{1}{2}$ 86 $\frac{1}{2}$ ; Pittsburgh, 49 $\frac{1}{2}$ 49 $\frac{1}{2}$ ; Illinois Central, 139 $\frac{1}{2}$ 139 $\frac{1}{2}$ ; Rock Island, 96 $\frac{1}{2}$ , &c., showing an advance of 1 $\frac{1}{2}$  cent on Erie, 4 $\frac{1}{2}$  cent on Reading,  $\frac{1}{2}$  cent on Central, 1 $\frac{1}{2}$  cent on Pittsburgh, &c. Southern Michigan went counter to the market in the morning, declining 1 $\frac{1}{2}$  cent, but was stronger at the Second Board, and closed at 58 bid for common stock, and 87 for preferred. Pacific Steamship was heavy, and sold at 70; Nicaragua opened at 61, but fell off to 54.

State Streets are improving, and California advanced to 63¢464. Railroad Bonds continue dull. At the close, the general market was sustained in the street.

The business in Exchange for the Arago has been to moderate extent, and rates are sustained at 109½ a 109½ for sterling; 52½ a 51¼ for francs.

Freights are dull and nominal. To Liverpool, 260 bales Cotton at 3s.; 600 Hides at 7s. 6d.; 1,800 tons Beef at 14d.; 400 bbls. Spirits at 2s.; 200 do. at 2s.; 3,000 bbls. Rosin at 4d.; 5 tons Whalefoots at 7s. 6d. To London or Glasgow we have learned of no engagements, but for New York to Barbadoes with 1400-

The business of the Sub-Treasury was: Receipts, \$132,350.78; Payments, \$249,391.41, including \$10,000 California Franchise; Balance, \$131,041.37 81. Against \$13,326.26 last Saturday, showing a gain to the street of \$14,715.84.

**Heavy Keep** will pay the interest on the bonds of the Wyandam and Watertown Railroad due June 1, at No. 36 Wall street, under National Bank.

The semi-annual interest falling due on the first of

June next, on the income bonds of the Marietta and Cincinnati Railroad Company, will be paid on and after that date at the Banking House of Messrs. Winslow, Lanier & Co.

Albert B. Nicolay's regular semi-weekly auction sale of stocks and bonds will take place on Monday next, June 1, at 12½ o'clock at the Merchants' Exchange.

The business of the Clearing-House was \$36,161,000. The street continues to be abundantly supplied with money on call, which materially assists the present market. Call loans

that it secures to Chicago forever hereafter the trade of that immense region which these proposed lines will open.

Messrs. Hewson & Holmes, in their Cincinnati Circular of the 27th say:

"During the past week, although money has been easier, there has been fewer transactions in stocks than in the previous week. For Ohio and Mississippi shares the demand has increased, and we may look for a decided advance in this stock.

The number of passengers over this road is every day becoming more numerous, and the predictions of its most sanguine friends as to its full and complete success are not, we think, in a fallacy of judgment."

upward movement in the stock market, which was realized. We notice sales of Little Miami shares at 85.

We have mail advices from Orleans to the 23d of May. *The New-Orleans Price Current* states:

With continued light receipts from the interior the transactions of the week have been of a limited character in most departments of the market, with general higher ruling of prices, and it will be seen that Cotton, under the influence of more favorable European advices, &c., has recovered from the depression of the early part of the week.

Since the heavy rains of Saturday night and Sunday morning, the weather has been generally clear, and the prospects for a remarkably successful season are

On account of Transfers.....	1	4,407.83	62,837.434 87
On account of Miscellaneous.....	1		
<b>To Payments.....</b>			<b>\$12,692.263 46</b>
Treasury Drafts.....	2	322.20	
Post-Office Drafts.....	2	285.49	3,525.255 57
<b>Balance May 30, 1887.....</b>			<b>\$16,692.197 19</b>
By Balance Cr. Disbur. Accts.....	69	1,896.784	69
By Receipts during the month.....	1	1,754.313	
<b>To Payments.....</b>			<b>1,789.210 42</b>
<b>Balance.....</b>			<b>\$18,611.925 86</b>
By Balance Cr. Interest Accounts.....	6	631.946	41
<b>Balance.....</b>			<b>2,763.98</b>
<b>Balance.....</b>			<b>\$20,375.912 27</b>
By Receipts for Customs, May, 1887.....	1	12,047.543	99

By Receipts for Customs in May 1936.....	
Decrease in May 1937.....	\$1,498,634.59
By Balance Cr., Bullion and Expense Account for May 1937.....	\$14,976.02
By Cash received.....	\$143,016.90
By Fine Bars received during so.....	\$1,700,497.04
Total.....	\$3,332,125.55
To Payments in Coin.....	\$1,351,397.00
To Payments in Fine Bars.....	\$1,807,412.98
Balance.....	\$1,742,725.57

**MARKETS.—Carefully Reported for The N. Y. TRIBUNE.**  
SATURDAY, MAY 30.

**ASHES.**—The market is quiet and rather unsettled for Peabody. Small sales at 67 1/2 to 67 3/4. No trade in soft, and no trade in hard.

**COTTON.**—The market is dull and heavy, and firm for small lots. The decline has been accepted by the market, and quotations are steady enough, and are fully established quotations. Our nominal prices are as follows:

**SPINNING CLASSIFICATION.**

	Upends.	Florida.	Mobile.	N. O.	Texas
Ordinary.....	12	12	12	12	12
Middling.....	14	14	14	14	14
Good.....	16	16	16	16	16
Extra.....	18	18	18	18	18
Super.....	20	20	20	20	20

**COFFEE.**—Rio has been a little more active; 1,250 to 1,300. The stocks are about 100,000.

**Jet, J. O. Baker & Co., Advance, Barstow, Etc., Wash, Carre & Chase.**  
Baker-Barstow, Hickey, Newport, master; Union, Kentucky, master; W. A. C. Roeder & Co., J. F. Parrish, Baltimore, James Denzesset, M. Morton, Bailey, Stratton & Tullman; Lind, Cam, Boston, Sall, Galloway, Green, New York, master; W. A. C. Roeder & Co., Baltimore, Wash, Turks Island, Smith & Lough; Venns, Atlanta, Ga., Roemer Graves & Co.; Helicon, Cal.; St. George, N. S. C. E. W.

**Ritz—Alamo, Parsons, Philadelphia, Mayhew, Tolbot & Co., Weppco, Coons, Turks Island, Wash, Carre & Chase, Ford, Cal, Cal, Portland, master; Noble, Spear, Cape Town, Edmond, Hickey, Newport, master; W. A. C. Roeder & Co., but J. F. Elliott, Crockett, Chesapeake, H. D. Brookman & Co., Baltimore, Wash, Turks Island, Smith & Lough, Venns, Atlanta, Ga., Roemer Graves & Co.; Helicon, Cal.; St. George, N. S. C. E. W.**

**WHEAT AND MEAL.**—The demand for Western Canada Flour is quite moderate, but the market is better supplied than it has been for some time. The prices of the day are as been moderate; the better grades are well sustained, but common brands have come to close to State 67 1/2 for extra, 65 1/2 for extra, 63 1/2 for superline, Indiana, Iowa and Illinois, 61 1/2 for 60 for extra, 59 1/2 for choice, do, 58 1/2 to 25 for S. L. brands, and 57 1/2 to 10 for extra Genesee. Canadian Flour is heavy and inactive, 60 1/2 for superline, and 57 1/2 to 75 for extra do. Southern Flour is in good request, and is firmly held; the arrival are light and the market is not well supplied. Flour is mixed to good brands Ballinger, &c., and 57 50 for favorite fancy and

[illegible][illegible][illegible]

Stock, June 1, 1857.	Bbls.	Bbls.
Cuba Sugar.....	9,112	9,112
Cuba Cayenne.....	2,932	
Porto Rico.....	466	
New Orleans.....		79
Total.....	13,502	19,319

NAVAL STORES.—The market for naval stores is quiet, and the prices have been corrected under the favorable foreign advices, and prices are again firmer; sales 400 bbls. in shipping order at \$1c. less. In crude market, and prices remain steady at \$3 75 @ 280 75. Common Ropes in less active but prices remain fair at \$1 25 @ 1 40 @ 30 @ 310 25.

MASSACHUSETTS.—The market for naval stores is quiet, and the prices have been corrected under the favorable foreign advices, and prices are again firmer; sales 400 bbls. in shipping order at \$1c. less. In crude market, and prices remain steady at \$3 75 @ 280 75. Common Ropes in less active but prices remain fair at \$1 25 @ 1 40 @ 30 @ 310 25.

Big Red and Silver Foxes all offering complete full prices. Tar is in large stock, particularly small sizes, prices favor the buyer. Lard is quoted but not offered. 1914—English Lard in good supply, and prices are somewhat depressed, sales of 10 tons at 84c. each. American lard is in moderate request, and the regular price is 86c. per cwt. Crude Whale continues in good demand, and prices are fairly maintained; sales of 900 barrels (sent home by the Enterprise of Nantucket) at 10 1/2 cts. per barrel. A cargo of South American hides is due at the same place. Refined Spring and Winter Bleached are selling slowly but steadily at 21 1/2 cts. in sacks and in bulk. A small quantity of our last report of which we have been abundantly the omission of a few lines of the types continuing in with Red Oak continues very quiet, and prices favor the buyer. The market for the other two species of the same genus is in demand, and prices remain firm at 15 1/2 to 20 cts. each and 4 months for prime West.

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Port Rico, hhd.....	6,822	Port Rico, hhd.....	6,822
New Orleans, hhd.....	1,000	New Orleans, hhd.....	1,000
English Islands, hhd.....	300	English Islands, hhd.....	300
<b>Total hhd.....</b>	<b>8,122</b>	<b>Total hhd.....</b>	<b>8,122</b>
Boxes.....	4,859	Boxes.....	4,859
Barrels.....	1,584	Barrels.....	1,584
<b>Total.....</b>	<b>10,575</b>	<b>Total.....</b>	<b>10,575</b>

The receipts and sales from 1st to 30th June were as follows:

	Receipts.	Sales.
Total hhd.....	10,482	10,482
Boxes.....	9,508	6,292
Barrels.....	12,070	20,900
Malacca.....	7,500	7,500
<b>Cases (Baling).....</b>	<b>431</b>	<b>431</b>
Increase of receipts over sales, hhd.....	25,446	
Decrease of receipts over sales, boxes.....	1,000	
Increase of receipts over sales, Malacca.....	4,753	

Slip Ream Burgers, New Orleans dyes, mdse. to London.

Slip Ream, Brazil (Br), Sinclair, Trailer, 31 days, in ballast and 217 pass to Barclay & Livingston. The L. R. is bound to Quebec; anchored at Quanaquam to land pass, but has found foggy Bunkers.

Barb T. B. Bartram, Garg, Havana May 21, sugar, ac, to Sturgis, Chapman & Co.

Barb T. B. Bartram, St. Jago, Cuba, May 15, sugar, ac, to J. Thompson.

Barb Aguapico, Legazco, Calcutta 12 days, insured, ac, to Hachco & Co. May 25, not land, passed brig Hampden, bu ind R.

Barb Magistrate (Br) Wharfedale, Liverpool 40 days, salt to Brooman, Johnston & Co. Lat. 43 12, lon. 50 02, saw several togs.

Brig Hurricane (of Baltimore), Dubel, Rio Janeiro April 24, cargo to master.

Brig (Br), of Maliland, N. S. George, Crab Island, P. R.

[illegible]

**WOLLS.**—The market is quiet, moderate, and prices, if anything, better than yesterday's. The demand by the buyer, particularly since some 17,000 lb low grades of Western midland fleeces at 27¢ net cash. Fine qualities maintain their previous firmness, although some light parties are doing business at a discount to hammer the market. Foreign quotations, we have only to note a small sale of Rio Grande at 27c 6 mos.

**Markets—Reported by Telegraph.**

**CHARLESTON, May 29.**—Sales of COTTON today, 22 bales;

[illegible]

Amie, Susan and Fanny Barnett; C. Laurie, Mary Cox, Rosalie Agnew, Stanley and Willoughby Keeling, Riva, G. F. May & Rosalie, A. F. and Alice M. May, G. B. Sharp, J. S. and M. Dunsmuir, John Bennett, F. Cole, Augusta Daniel, D. K. King, J. H. Wilson, W. Phillips (D. B. Goertzen, V. Gelber), J. E. Williams, T. J. Hermann, J. De la Barnette, J. Wady, Clara B. Nash, J. Marshall—303 in the steerage.

In the ship *Queen of the Pacific*, from St. Thomas-T. Pratt, Capt., J. P. and J. L. Smith, J. P. and J. L. Smith, J. P. and J. L. Smith.

In bark *Velocity*, from St. Jago de Cuba-Johnnie Bartle, Capt.; J. P. and J. L. Smith, J. P. and J. L. Smith.

Samuel Bartle, Wm. Hodges, John Herbert.

In bark *Enterprise*, from Isabel, Drury, Fernand, Martine, Chas. In the schr. *Frank*, from Angostura—8 Herschell.

PORT OF NEW-YORK.....May 20.

**Cleared.**

Steamships—Ad. Adger, Turner, Charleston, Spoford, Tilton & Co. Jamestown, Farish, Norfolk, Ludlum & Pleasant, Ship's—St. Nicholas, Braden, Havry, Boyd & Hinckes, Britton, Scott, East India, W. A. Sigs & Co., Flying Dutchman, Hamburg, St. Francisco, Geo. Danzels, Amsterdam, Braden, Liverpool, C. Grinnell, Hercules, Wenke, Hamburg, W. F. Schmidt; Geo. Neynes, Speculator, South America and a mail.